

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Thursday, May 14, 1998

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 3534—Mandates Information Act
H.R. 2431—Freedom From Religious Persecution Act
Privileged Resolution Regarding Chairman Burton



H.R. 3534—Mandates Information Act

Floor Situation: The House will complete consideration of H.R. 3534 as its first order of business today. Yesterday, the House completed general debate and began debating amendments under an open rule. The rule accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to commit, with or without instructions.

Summary: H.R. 3534 amends the 1974 Congressional Budget Act (*P.L. 93-344*) to require congressional committees to report on any bill or joint resolution that imposes a federal mandate on the private sector. The report must include information from the Congressional Budget Office (CBO) pertaining to the economic impact that the mandate may have on consumers, workers, and small businesses, including any disproportionate impact on particular regions or industries. Currently, CBO only must estimate the direct costs of all federal private sector mandates that exceed \$100 million, as well as the amount of federal financial assistance to private sector entities provided by the legislation. The bill also allows members to raise a point of order against any legislation that imposes a private sector mandate if it is not feasible for CBO to submit an estimate. The bill was introduced by Mr. Condit and was reported by the Rules Committee by voice vote.

Views: The Republican leadership supports passage of the bill. The Clinton Administration has expressed no official position on H.R. 3534.

Amendments: At the close of business, the *Legislative Digest* was aware of the following amendments to H.R. 3534:

Mr. Moakley may offer an amendment to strike from the bill language adopted by the Rules Committee during the mark-up. Currently, the bill contains language to forbid points of order if a bill provides an overall tax reduction but contains some tax increases within the measure. Supporters of this amendment argue that by eliminating the point of order options, Congress will be unable to fully debate all provisions affected by this measure. **Staff Contact: Leanita Shelby, x5-9486**

Mr. Traficant may offer an amendment (#2) to require the director of CBO to report to Congress each year on the economic impact of H.R. 3534 on employment and businesses in the United States. The intent of this amendment is to assure that there are no adverse effects upon U.S. businesses as a result of enactment of the measure and any of its amendments. **Staff Contact: Kim Briton, x5-5261**

Mr. Waxman may offer an amendment to permit points of order against provisions within any legislation that remove or weaken federal private sector mandates that protect the environment or public health. Supporters of the amendment seek to protect against possible legislation that promotes private sector interests but does not address environmental and public health concerns. **Staff Contact: Greg Dotson, x5-3976**

Additional Information: See *Legislative Digest*, Vol. XXVII, #12, May 11, 1998.



H.R. 2431—Freedom From Religious Persecution Act

Floor Situation: The House will consider H.R. 2431 after it completes consideration of H.R. 3534. Yesterday, the Rules Committee granted a structured rule providing for one hour of general debate, equally divided between the chairman and ranking minority member of the International Relations committee. The rule makes the text of H.R. 3806, as modified by two amendments during the Rules Committee markup, in order as base text and waives all points of order against the substitute. It also makes in order four, debatable in the order listed and for the amount of time specified below. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 2431 establishes an Office of Religious Persecution Monitoring within the State Department and authorizes sanctions against countries that engage in a pattern of religious persecution. The bill requires that the U.S. cut off non-humanitarian aid, ban exports of crime control equipment and goods which could be used for torture, ban visas to known persecutors, and require U.S. executive directors in international financial institutions to vote against loans to countries that persecute religious believers. Under the bill, the term “religious persecution” is divided into two categories, depending on whether the persecution is carried out by government agents or merely tolerated by the government.

Under the guidelines of the legislation, the president may waive sanctions for reasons of national security or if he can certify that waiving sanctions will “promote the objectives of the act.” Also, to prevent sanctions from subjecting an undue burden on the poorest countries, the legislation permits the U.S. to continue humanitarian and development assistance, so long as it does not benefit the government of the sanctioned country.

Furthermore, the bill states that refugees from persecuted communities in countries found to have committed either category of persecution are of “special humanitarian concern” to the United States. Members of these persecuted communities will receive resettlement priority equal to that of any other group of refugees of special concern. Finally, the bill extends the sanctions in place against Sudan, because of Sudan’s designation as a country that sponsors terrorism and imposes new sanctions similar to those imposed on South Africa in the 1980s until the government stops religious persecution.

The Rules Committee added two amendments to the base text of the bill to (1) express the sense of Congress that the U.S. should use its influence with the Turkish Government and as a permanent member of the United Nations Security Council to suggest that the Turkish Government ensure proper protection for the Patriarchate and all of the Orthodox faithful residing in Turkey, and (2) remove expedited procedures dealing with sanctions against Sudan and waive a Budget Act violation, which is largely technical in nature, dealing with the Office of Religious Persecution Monitoring.

CBO estimates that enactment of H.R. 2431 will increase discretionary spending to \$600,000 a year, assuming appropriation of necessary funds. The bill affects direct spending, so pay-as-you-go procedures apply. The bill was introduced by Mr. Wolf and was reported by the International Relations Committee on March 25 by a 31-5 vote. The Ways and Means and Judiciary Committees ordered the bill reported by voice vote on May 6. The Banking & Financial Services, and Rules Committee waived jurisdiction over the bill on Tuesday, May 5.

Amendments: As stated above, the rule makes in order the following four amendments, debatable in the order listed and for the amount of time specified below:

Mr. Campbell will offer an amendment, debatable for 10 minutes, to permit the president to waive any of the Sudan sanctions outlined in the bill if he determines that the national security interest of the U.S. justifies such a waiver. During the International Relations Committee markup, the waiver provision was narrowed to apply only to certain Sudan sanctions in order to avoid a point-of-order being levied against the bill on grounds that some of these sanctions were outside of the committee’s jurisdiction. Proponents argue that the waiver would have covered all of the Sudan sanctions but for a procedural amendment during the committee markup. *Staff Contact: Jackie Benditt, x5-2631*

Mr. Hastings (FL) will offer an amendment, debatable for 10 minutes, to permit the Director of the Office of Religious Persecution Monitoring, in consultation with the Secretary of State, to make policy recommendations to the president to prioritize promoting and developing legal protections and cultural respect for religious freedom in the U.S. development programs, cultural and educational exchanges, and international broadcasting programs. The amendment requires the director to assist the Secretary of State in establishing a program of incentive awards to members of the foreign service who have provided distinguished meritorious service in promoting internationally recognized human rights, including religious freedoms. *Staff Contact: Fred Turner, x5-1313*

Mr. Traficant will offer an amendment, debatable for 10 minutes, to require the administration to submit an annual report to Congress by January 31 of each year on the impact of the bill on the U.S. economy, and specifically on American jobs and businesses. Proponents of the amendment are concerned that the sanctions under the bill might lead to a loss of American jobs. **Staff Contact:** *Kim Harris Bliton, x5-5261*

Mr. Brady will offer an amendment, debatable for 10 minutes, to establish a five-member U.S. Commission on International Religious Persecution—which includes four members of Congress and the Director of the Office of International Religious Persecution—to promote accountability regarding the implementation of sanctions and monitor the effectiveness of those sanctions. The Director of the Office of Religious Persecution must transmit a copy of his report to the U.S. Commission on International Religious Persecution. The amendment also (1) establishes a Religious Freedom Internet site by the State Department, (2) directs the State Department to train foreign service officers with regard to religious persecution, (3) provides for high-level contacts with NGOs in the sanctioned country, (4) directs U.S. missions to develop a strategy to promote the respect of the internationally recognized right to freedom of religion, (5) allows equal access to U.S. missions abroad for conducting religious activities, and (6) encourages greater awareness of prisoners of religious persecution in other countries.

Finally, the amendment adds (1) international broadcasting to promote freedom of religion issues, (2) adds international exchanges to promote freedom of religion issues, and (3) promotion of religious freedom as a category to granting foreign service awards. **Staff Contact:** *David Malech, x5-4901.*

Additional Information: See *Legislative Digest*, Vol. XXVII, #12, May 11, 1998.



Privileged Resolution Regarding Chairman Burton

Floor Situation: Minority Leader Gephardt may offer a privileged resolution sometime today to mandate that Mr. Burton be removed as head of the Committee on Government Reform & Oversight's investigation into alleged illegal campaign fundraising activities involving the president. The resolution is debatable for one hour unless a member successfully moves to table the motion. At press time, it was uncertain whether Mr. Gephardt intends to offer the resolution and further details were unavailable.

